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PATENT
HMD2000-1-CIPB**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Thomas N. Giaccherini, et al.

Examiner: Kizou, Hassan

Serial No.: 09/833,094

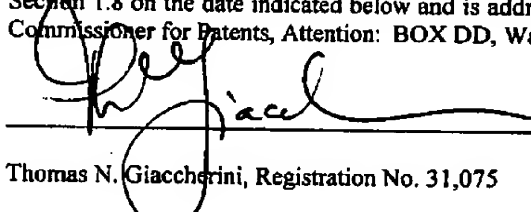
Group Art Unit: 2600

Title: **Method for Utilizing
Excess Communications Capacity**

Filed: 10 April 2001

CERTIFICATE OF MAILING UNDER 37 C.F.R. SECTION 1.8

The undersigned hereby certifies that this document is being deposited with the United States Postal Service in accordance with the provisions of 37 CFR Section 1.8 on the date indicated below and is addressed to The Assistant Commissioner for Patents, Attention: BOX DD, Washington, D.C. 20231.


Thomas N. Giaccherini, Registration No. 31,075Date 2 Dec 02**SECOND DISCLOSURE STATEMENT**

The Assistant Commissioner for Patents
Box DD
Washington, D.C. 20231

Sir:

The Applicants submit this Second Disclosure Statement and completed Form PTO/SB/08A for their pending U.S. Patent Application.

Second Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/833,094
HMD2000-1-CIPB

DISCLOSURE DOCUMENTS

U.S. Patent No. 5 406 626 issued to Ryan discloses a radio receiver for information dissemination using sub-carrier.

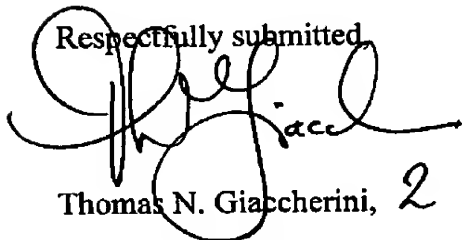
CERTIFICATION

Each item of information contained in this Second Information Disclosure Statement was discovered not more than three months prior to the filing of this Second Information Disclosure Statement. This Disclosure Statement is also being submitted before the receipt of the First Office Action for the present Application.

CONCLUSION

The Applicants submit that none of the documents described above disclose the Invention as claimed in the present Patent Application. The Applicants believe that no fee is required to submit this Second Disclosure Statement.

Respectfully submitted



Thomas N. Giaccherini, 2 Dec 02.

Applicants' Attorney

Registration No. 31,075

Second Disclosure Statement for U.S. Patent Application entitled
Method for Utilizing Excess Communications Capacity
U.S.S.N. 09/833,094
HMD2000-1-CIPB

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Transmitted to the United States Patent Office

by facsimile on Monday, 2 December 2002

with a Rule 8 Certificate.

PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/833,094
		Filing Date	10 APR 01
		First Named Inventor	GIACCHERINI
		Art Unit	2600
		Examiner Name	KIZOV, HASSAN
Sheet	one	of	one
		Attorney Docket Number	HMD2000-1-CIAB

U.S. PATENT DOCUMENTS					
Examiner Initials ¹	Cite No. ¹	Document Number Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US-5406 626		RYAN	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.